



BEST AVAILABLE COPY

Docket 41473/124196

1768
#4
1-29-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of
Ross A. CAPUTO, Robert R. REICH, Jr.,)
Robert J. THRASH, Jimmy FISHER,)
Davoud KHORZAD, and Thomas F. CULLEN)
Serial No.: 09/901,389)
Filed: July 9, 2001)
For: **APPARATUS FOR TESTING**)
STERILIZATION METHODS AND)
MATERIALS)

Examiner: To Be Assigned

Group: 1764

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TC 1700

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants wish to make of record the following documents (clean copies and one Form PTO-1449 listing them are enclosed). Neither this Second Supplemental Information Disclosure Statement nor its filing constitutes either an admission that any of the documents is prior art or a representation that a search has been made.

U.S. Patent Documents

| <u>Document No.</u> | <u>Date</u> | <u>Inventor</u> |
|----------------------------|--------------------|------------------------|
| 145. 5,097,130 | 3/17/92 | Koashi et al. |

Foreign Patent Documents

| <u>Document No.</u> | <u>Date</u> | <u>Country</u> |
|----------------------------|--------------------|-----------------------|
| 2-276950 | 11/13/90 | Japan |

Other Documents

International Search Report for PCT Application No. PCT/US02/21499, mailed December 18, 2002 ("Spectrophotometric Determination Of Gas Phase Compositions").

Comments concerning the foregoing documents are set forth below.

U.S. Patent Documents

145. U.S. Patent No. 5,097,130 relates to a "quantitative determination method of a medicament for processing semiconductor by near-infrared spectrometry at 800-1400 μ m and an apparatus which is adapted to the practice of said method." (Abstract)

Foreign Patent Documents

According to the English abstract provided by the PCT International Searching Authority, Japanese Publication 2-276950 concerns an instrument for measuring the concentration of hydrogen peroxide.


Other Documents

International Search Report for PCT Application No. PCT/US02/21499, mailed December 18, 2002 ("Spectrophotometric Determination of Gas Phase Compositions"). This PCT application corresponds to U.S. Patent Application Serial No. 09/901,221, filed July 9, 2001, which U.S. patent application was filed concurrently with the present application and

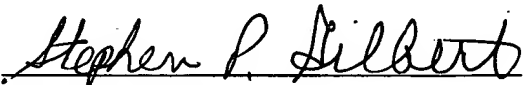
which is referenced in the present application, e.g., on page 16, line 14 et seq., and page 44, line 9 et seq. The Search Report for PCT Application No. PCT/US02/21499 lists three documents: (a) U.S. Patent No. 5,942,754, which is U.S. Patent Document No. 118 of the Information Disclosure Statement filed concurrently with U.S. Patent Application Serial No. 09/901,389 and which is listed as an "A" document in the Search Report; (b) U.S. Patent No. 5,097,130, which is U.S. Patent Document No. 145 of this Second Supplemental Information Disclosure Statement and which is listed as an "A" document in the Search Report; and (c) Japanese Publication 2-276950, which is listed under the category "Foreign Patent Documents" of this Second Supplemental Information Disclosure Statement and which is listed as an "A" document in the Search Report. The relevance of the first of these documents (item (a)) is set forth in the application. Comments concerning the second and third documents (i.e, items (b) and (c)) are set forth above.

* * *

The Examiner is asked to review all of the foregoing documents and independently assess their relevance before issuance of the first action on the merits. The Examiner is also asked to initial and return a copy of the PTO-1449 form to evidence such consideration.

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| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: | |
| Assistant Commissioner for Patents Washington, D.C. 20231 | |
| on | <u>JANUARY 7, 2003</u> (Date of Deposit) |
| | <u>Stephen P. Gilbert</u> Name of applicant, assignee, or registered representative |
| | <u></u> Signature |
| | <u>JANUARY 7, 2003</u> Date of Signature |

Respectfully submitted,


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Form PTO-1449
(Rev.)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

41473/124196

SERIAL NO.

09/901,389

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

APPLICANTS

Ross A. CAPUTO, Robert R. REICH, Jr.,
Robert J. THRASH, Jimmy FISHER,
Davoud KHORZAD, and Thomas F. CULLEN

FILING DATE

July 9, 2001

GROUP

1764

U.S. PATENT DOCUMENTS

| Examiner Initial | Cite No. | U.S. Patent Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
|------------------|----------|-----------------------------|---------|---------------|-------|----------|----------------------------|
| | | 5,097,130 | 3/17/92 | Koashi et al. | | | |
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FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Subclass | Translation | |
|--|--|-----------------|----------|---------|-------|----------|-----------------------------|----|
| | | 2-276950 | 11/13/90 | Japan | | | Yes | No |
| | | | | | | | (English abstract attached) | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|---|---|
| | International Search Report for PCT Application No. PCT/US02/21499, mailed December 18, 2002. |
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| EXAMINER | DATE CONSIDERED |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |